



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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October 14, 1994

Mr. Jim R. Scarth, Esq.
Ancestor Square-Tower Bldg.
Suite 32
P.O. Box 160
St. George, Utah 84771

Re: Surface Owner Property Damage Concerns, March Corporation, Bald Knoll Mine, S/025/012, Kane County, Utah

Dear Mr. Scarth:

Thank you for your September 14, 1994, letter submitted on behalf of Mr. Trevor K. and Mr. Robert C. Leach, surface land owners of the Bald Knoll mine property. Your letter outlines a number of concerns/complaints raised by your client against March Corporation, the current operator of the Bald Knoll mine.

This Division's regulatory authority is limited to assessing and minimizing environmental, public safety, and reclamation-related concerns that may be associated with a mining operation. For our agency to become involved in taking an action against an operator, the operator must be conducting operations contrary to the approved permit and/or the requirements of the Utah Mined Land Reclamation Act (the "Act") and the interpretive Minerals rules. Upon review, we believe that March Corporation is operating in compliance with its approved permit, our regulations and the Act. It is our opinion that your other concerns are beyond our regulatory authority to adjudicate.

Our mine files are public documents which are available for public inspection and review, weekdays from 8:00AM to 5:00PM. If you or your client would like to review our mine file for this operation, we would be happy to assist you in locating the appropriate records. We are willing to answer any questions you may have regarding those records, our permitting decisions, or interpretation of our regulatory requirements. Thank you again for your letter and concern. Please contact me, or Wayne Hedberg of my staff if we can provide further assistance or clarification in this regard.

Sincerely,

Lowell P. Braxton
Associate Director, Mining

jb
cc: Andrew Edwards, March Corporation
Trevor Leach
John Blake, SITLA
S025012.pdc

